REMARKS

Upon entry of the foregoing Amendment, claims 4 and 13-62 are pending in the application. Claims 4, 13, 27, 49, and 55-56 have been amended. No claims are cancelled or newly added. Applicant believes that this Amendment does not add new matter. In view of the foregoing Amendment and following Remarks, allowance of all the pending claims is requested.

EXAMINER INTERVIEW

Applicant thanks Examiner England for granting Applicant's representative the courtesy of an Examiner Interview. During the interview, Applicant's representative discussed the clear deficiencies of the references relied upon in the rejections. No agreement was reached between the Examiner and Applicant's representative. Applicant has amended the claims solely for purposes of clarity, and maintains that the rejections are improper and must be withdrawn for at least the reasons set forth in greater detail below.

REJECTIONS UNDER 35 U.S.C. §103(a)

Claim 4

The Examiner has rejected claim 4 under 35 U.S.C. § 103 as allegedly being unpatentable over U.S. Patent No. 6,304,892 to Bhoj et al. ("Bhoj") in view of U.S. Patent No. 6,249,755 to Yemini ("Yemini"). Applicant traverses this rejection because the Examiner has failed to establish a *prima facie* case of obviousness, for at least the reason that the references relied upon, either alone or in combination, fail to teach or suggest all the features of the claimed invention.

More particularly, neither Bhoj nor Yemeni teach or suggest "selecting one or more network components on which the service depends from among the plurality of network components" [and] "mapping the one or more selected network components to the service," as recited in claim 4, for example.

In the Office Action mailed July 27, 2006, the Examiner concedes that Bhoj fails to teach or suggest these features of the claimed invention. Instead, the Examiner

alleges that "Yemeni teaches . . . mapping one or more selected network components from the plurality of network components on which the service depends to the service." Office Action at 3. The Examiner alleges that Yemeni teaches this feature of the claimed invention at col. 8, lines 17-67. Applicant disagrees.

The relied upon passages in Yemeni discuss the first two steps of "a four-step process" "for efficiently determining problem events from observable symptoms." Yemeni at col. 7, line 64 – col. 8, line 16. The first step, discussed at col. 8, lines 17-36, includes "[s]pecifying an event model and a propagation model for classes of components in the system." Yemeni discloses that these models indicate exceptional events associated with the component classes, as well as the local symptoms corresponding to the events, and their potential relationship with other components. Yemeni at col. 8, lines 20-23.

However, such modeling does not teach or suggest "selecting one or more network components on which the service depends from among the plurality of network components" or "mapping the one or more selected network components to the service." At best, the models of potential event conditions and relationships for a component, as disclosed by Yemeni, may be used to describe components. Nonetheless, describing components does not teach or suggest "selecting one or more network components on which the service depends" for the purpose of "mapping the one or more selected network components to the service," as recited in claim 4, for example. For at least this reason, the specification of event models and propagation models in the cited passages of Yemeni fail to teach or suggest the claimed invention.

Further, the second step discussed in the relied upon passages in Yemeni, discussed at col. 8, lines 37-67, includes "[c]reating a causality data representation of problems and symptoms for the system to be monitored." Yemeni discloses that this "representation includes data to describe problems, events and their causal relations both within a component and across components." Yemeni at col. 8, lines 40-43.

However, such representation does not teach or suggest "selecting one or more network components on which the service depends from among the plurality of network components" or "mapping the one or more selected network components to the

service." At best, the representation builds upon the modeling described above, and describes potential causality relationships among various events and components. Nonetheless, describing problem and symptom conditions does not teach or suggest "selecting one or more components on which the service depends" for the purpose of "mapping the one or more selected network components to the service," as recited in claim 4, for example. For at least this reason, the creating of problem and symptom representations discussed in the cited passages of Yemeni fails to teach or suggest the claimed invention.

For at least the foregoing reasons, the Examiner has failed to establish a *prima facie* case of obviousness. In particular, Bhoj and Yemeni, either alone or in combination, fail to teach or suggest all of the features of claim 4. Moreover, in the rejection of claim 13, the Examiner concedes that Yemeni "does not specifically teach associating a component of the network to the service," which is substantially similar to the above discussed features of claim 4. Office Action at 4 (numbered paragraph 20). As such, the Examiner has taken contradictory positions, which appear to allege that Yemeni teaches these features, while also conceding that Yemeni does not teach them. For at least these reasons, the rejection is improper and must be withdrawn.

Claims 13-17, 19-35, 37-53, and 55-62

The Examiner has rejected claims 13-17, 19-35, 37-53, and 55-62 under § 103 as allegedly being unpatentable over Yemini in view of Bhoj in further view of U.S. Patent No. 6,052,722 to Taghadoss ("Taghadoss"). Applicant traverses this rejection because the Examiner has failed to establish a *prima facie* case of obviousness, for at least the reason that the references relied upon, either alone or in combination, fail to teach or suggest all the features of the claimed invention.

More particularly, neither Bhoj nor Yemeni teach or suggest "mapping at least one component of the network on which the service depends to the service," as recited in claim 13, for example. The Examiner concedes that neither Yemini nor Bhoj teach or suggest this feature of the claimed invention. Office Action at 4-5. Instead, the

Examiner relies on Taghadoss as allegedly teaching this feature at col. 5, lines 16-36. *See* Office Action at 6 (numbered paragraph 26).

The relied upon portions of Taghadoss relate to a "more efficient way of identifying the actual state and operational status of managed network resources." Taghadoss at col. 5, lines 24-30. While identifying the state and/or operational status of managed network resources may ultimately be correlated with a service (and perhaps ultimately correlated to a state of the service), the managed network resources on which the service depends must first be mapped to the service. For example, claim 13 recites "mapping at least one component of the network to the service on which the service depends" for the purpose of subsequently "monitoring, at the enterprise management system, at least one parameter of the mapped network component."

The passages of Taghadoss relied upon by the Examiner fail to provide such a mapping, instead only appearing to deal with identifying resource states. Thus, for at least this reason, the portions of Yemini, Bhoj, and Taghadoss relied upon b the Examiner fail to teach or suggest all of the features of the claimed invention.

For at least the foregoing reasons, the Examiner has failed to establish a *prima facie* case of obviousness. In particular, Yemeni, Bhoj, and Taghadoss, either alone or in combination, fail to teach or suggest all of the features of claim 13. For at least these reasons, the rejection is improper and must be withdrawn.

Claims 27 and 49 include features similar to those set forth in claim 13. Claims 14-17, 19-26, 28-35, 37-48, 50-53, and 55-62 depend from and add features to one of claims 13, 27, and 49. Thus, the rejections of these claims are likewise improper and must be withdrawn for at least the same reasons.

Claims 18, 36, and 54

The Examiner has rejected claims 18, 36 and 54 under § 103 as allegedly being unpatentable over Yemini, Bhoj and Taghadoss as applied to claims 13, 27, 35 and 49 above, and in further view of U.S. Patent No. 6,233,449 to Glitho et al. ("Glitho"). Glitho fails to cure the deficiencies of the Examiner's rejections with respect to the independent claims discussed above. Claims 18, 36, and 54 depend from and add features to one of independent claims 13, 27, and 49. Thus, the rejections of these claims are likewise improper and must be withdrawn for at least the same reasons.
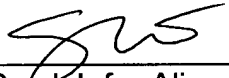
CONCLUSION

Having addressed each of the foregoing rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, the application is in condition for allowance. Notice to that effect is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Date: **November 27, 2006**

Respectfully submitted,

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